



Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Thirty-second Day

Tuesday Afternoon

March 17, 2015

The invocation was offered by Pastor Tyler Tolbert of First Christian Church in Columbus, a guest of Representative Milo E. Smith.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative B. Patrick Bauer.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezgodski
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak <input type="checkbox"/>	Porter
Eberhart	Price
Errington	Pryor
Fine <input type="checkbox"/>	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
Harris <input type="checkbox"/>	Speedy
Heaton	Stemler <input type="checkbox"/>
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey	Thompson
Kirchhofer	Torr

Truitt
Ubelhor
VanNatter
Washburne
Wesco

Wolkins ☐
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 286: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, March 19, 2015, at 10:00 a.m.

FRIEND

The motion was adopted by a constitutional majority.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 43

Representatives Bosma and DeLaney introduced House Concurrent Resolution 43:

A CONCURRENT RESOLUTION recognizing the Centennial of Bosma Enterprises, Inc.

Whereas, In 1915 the State of Indiana authorized the creation of the Board of Industrial Aid for the Blind and provided a \$10,000 annual budget to create opportunities to improve the lives of people who had lost their sight;

Whereas, The Board established an industrial training program to teach skills to adult men who lost their eyesight so they could work in the Board's workshop or other industrial settings;

Whereas, Since the first product the workshop produced was brooms, which were sold all over the state, the program has grown to offering a wide variety of high-quality products and services to government agencies and private sector companies across North America;

Whereas, Returning World War I veterans with disabilities were provided skills training through the Soldier's Rehabilitation Act that were ultimately expanded to provide vocational rehabilitation to include anyone with a disability;

Whereas, By 1943 with millions of men and women off fighting the war, employers began looking to people with disabilities to fill the job vacancies, and the Vocational Rehabilitation program doubled in size as stereotypes began to change about the abilities of people with disabilities;

Whereas, The Board of Industrial Aid was dissolved in 1953 and the workshop and rehabilitation program were placed under the control of Indiana Rehabilitation Services, which later merged with the Indiana Department of Human Services;

Whereas, In 1984 Indiana renamed the agency the Charles E. Bosma Industries for the Blind after State Senator Charles Bosma, a well-known advocate in the Indiana General Assembly for people with disabilities;

Whereas, State budget considerations lead the State to announce in 1986 that it would close the workshop, one of the few places someone who was blind could work in the Indianapolis area;

Whereas, a small group of dedicated individuals formed a 501(c)(3) not-for-profit organization and completed negotiations with the State in 1988 to take over what had formerly been Bosma Industries for the Blind, thus preserving the employment and job readiness skills training for people who were blind;

Whereas, in 2006 the state transitioned all state-run rehabilitation services for people who are blind or visually impaired to Bosma;

Whereas, Employment opportunities at Bosma have grown from brooms and textiles through brake line assembly, dry food packaging, surgical and examination glove packaging, health and safety kit packaging, contract packaging and warehousing, Ice Melt packaging, and a full line of digital printing services;

Whereas, The 1990 passage of the Americans with Disabilities Act has opened doors for people with disabilities and provided access allowing people the right to pursue opportunities and live life to their greatest potential; and

Whereas, For 100 years Bosma Enterprises has consistently created services and opportunities for persons with vision disabilities to live meaningful lives, Bosma Enterprises now looks forward to even greater opportunities in the years ahead in providing services and training to assist clients in navigating blindness: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly thanks Bosma Enterprises for its century of dedicated services to the thousands of people whose lives have been enriched by its many programs and its caring and dedicated personnel.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Bosma Enterprises.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Merritt.

Senate Concurrent Resolution 31

The Speaker handed down Senate Concurrent Resolution 31, sponsored by Representative Austin:

A CONCURRENT RESOLUTION honoring the act of heroism performed by Tanner King.

Whereas, During an afternoon of sledding at an Anderson golf course, ten year old Ashlynn Wainscott ventured off the course with some friends;

Whereas, Ashlynn Wainscott ventured onto the ice of the nearby White River. Under her weight, the ice broke, and she plunged waist deep into the freezing water;

Whereas, Then, Tanner King, a fourteen year old freshman at Anderson High School, sprang into action. He rushed to the scene and cleared the other children out of the way;

Whereas, Tanner King, using water rescue training he

learned from the Boy Scouts of America, got on his stomach to distribute his weight more evenly across the ice, slid across the ice to reach Ashlynn, and pulled her out of the water; and

Whereas, Tanner's quick thinking and bravery saved Ashlynn Wainscott's life and deserves recognition by the Indiana General Assembly: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly honors and congratulates Tanner King for his act of heroism.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Tanner King, his family, Ashlynn Wainscott's family, and Tanner King's Scoutmaster Tom Sheahan.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The Speaker Pro Tempore yielded the gavel to the Speaker.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 193, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 193 as printed January 14, 2015.)

Committee Vote: Yeas 12, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 265, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 265 as reprinted January 27, 2015.)

Committee Vote: Yeas 11, Nays 0.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 315, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 20, delete "for:" and insert ". **The township may sell or lease the property to an Indiana nonprofit corporation that is exempt from federal income taxation under Section 501 of the Internal Revenue Code.**".

Page 2, delete lines 21 through 28.

Page 2, line 29, delete "purposes described in this subsection".

Page 2, line 31, strike "The deed must state that the township is required to use".

Page 2, line 32, strike "the property for park and recreation purposes".

Page 2, line 32, delete "or for providing" and insert ".".

Page 2, line 33, delete "community services".

(Reference is to SB 315 as reprinted February 10, 2015.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 484, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 484 as printed February 20, 2015.)

Committee Vote: Yeas 12, Nays 0.

FRYE R, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 383

Representative VanNatter called down Engrossed Senate Bill 383 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 489

Representative Lehman called down Engrossed Senate Bill 1 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 489-1)

Mr. Speaker: I move that Engrossed Senate Bill 1 be amended to read as follows:

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 20.

Page 2, line 21, delete "IC 5-11-1-28" and insert "IC 5-11-1-28.2".

Page 2, line 23, delete "28." and insert "**28.2**".

Renumber all SECTIONS consecutively.

(Reference is to ESB 489 as printed March 10, 2015.)

LEHMAN

Motion prevailed.

HOUSE MOTION (Amendment 489-2)

Mr. Speaker: I move that Engrossed Senate Bill 1 be amended to read as follows:

Page 2, line 31, delete "municipality." and insert "**political subdivision**".

Page 2, line 32, delete "municipality" and insert "**political subdivision**".

Page 2, line 37, delete "municipality." and insert "**political subdivision**".

Page 3, line 1, delete "municipality" and insert "**political subdivision**".

(Reference is to ESB 489 as printed March 10, 2015.)

LEHMAN

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 26

Representative Clere called down Engrossed Senate Bill 26 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 287: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 50

Representative Frizzell called down Engrossed Senate Bill 50 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 288: yeas 91, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 59

Representative Smaltz called down Engrossed Senate Bill 59 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 289: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 173

Representative Washburne called down Engrossed Senate Bill 173 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 290: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 175

Representative Steuerwald called down Engrossed Senate Bill 175 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 291: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 197

Representative Soliday called down Engrossed Senate Bill 197 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 292: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 285

Representative Dermody called down Engrossed Senate Bill 285 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 293: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 298

Representative Judy called down Engrossed Senate Bill 298 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 437

Representative Truitt called down Engrossed Senate Bill 437 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 295: yeas 68, nays 26. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 460

Representative T. Brown called down Engrossed Senate Bill 460 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Senate Bill 460. Pursuant to House Rule 46, the reason for the request is the following:

“My employer has an interest in the outcome of this matter and I feel that in order to safeguard the public’s trust in the House of Representatives, I need to be excused from voting on this bill”.

MACER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Senate Bill 460. Pursuant to House Rule 46, the reason for the request is the following:

My employer has an interest in the outcome of this matter and I feel that in order to safeguard the public’s trust in the House of Representatives, I need to be excused from voting on this bill”.

PORTER

Motion prevailed.

Roll Call 296: yeas 52, nays 40. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

OTHER BUSINESS ON THE SPEAKER’S TABLE**Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 484 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Zent be added as cosponsor of Engrossed Senate Bill 26.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative M. Smith be added as cosponsor of Engrossed Senate Bill 50.

FRIZZELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Borders, DeVon, Harman, Heaton, Judy, Koch, Morris, Morrison, Speedy, Thompson, Washburne and Lehman be added as cosponsors of Engrossed Senate Bill 101.

WESCO

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 173.

WASHBURNE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pierce be added as cosponsor of Engrossed Senate Bill 175.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Moseley be added as cosponsor of Engrossed Senate Bill 193.

LAWSON

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Forestal be added as cosponsors of Engrossed Senate Bill 197.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bauer and Niezgodski be added as cosponsors of Engrossed Senate Bill 216.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 280.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 285.

DERMODY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 298.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Huston be added as cosponsor of Engrossed Senate Bill 369.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 406.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be removed as cosponsor and Representative C. Brown be added as cosponsor of Engrossed Senate Bill 461.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McMillin be removed as 1st sponsor and Representative Clere be substituted therefor, Representative T. Brown be removed as cosponsor and Representative McMillin be added as cosponsor of Engrossed Senate Bill 464.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that

Representatives Borders, Arnold, Carbaugh, Gutwein, Judy, Price, Soliday, Klinker, Lawson and Moseley be added as cosponsors of Engrossed Senate Bill 484.

FRYE, R.

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as cosponsor of Engrossed Senate Bill 489.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 509.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hale be added as cosponsor of Engrossed Senate Bill 522.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as cosponsor of Engrossed Senate Bill 546.

NEGELE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as coauthor of House Concurrent Resolution 38.

RHOADS

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 36, 37, 38 and 39 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 31 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Ziemke, the House adjourned at 3:26 p.m., this seventeenth day of March, 2015, until Thursday, March 19, 2015, at 10:00 a.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives